

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION

STANDARD INSURANCE  
COMPANY

NO. 10-276

VERSUS

JUDGE WALTER

LORI PILKINTON,  
MAUREEN TOBIN STANLEY,  
MARGARET M. TOBIN,  
AND JOSEPH DAVID TOBIN

MAGISTRATE JUDGE HORNSBY

**ANSWER OF DEFENDANT LORI PILKINTON  
TO COMPLAINT FOR INTERPLEADER AND INCORPORATED  
CLAIMS AGAINST INTERPLEADER RES**

NOW INTO COURT, through undersigned counsel, comes defendant, Lori Pilkinton, to answer the Complaint for Interpleader filed by plaintiff, Standard Insurance Company, and to assert claims against the funds deposited into the registry of the Court and forming the interpleader res, upon a respectful showing that:

1.

The allegations of Paragraph 1 of the Complaint are admitted.

2.

The allegations of Paragraph 2 of the Complaint are admitted.

3.

The allegations of Paragraph 3 of the Complaint are admitted.

4.

The allegations of Paragraph 4 of the Complaint are admitted.

5.

The allegations of Paragraph 5 of the Complaint are admitted.

6.

The allegations of Paragraph 6 of the Complaint are admitted.

7.

The allegations of Paragraph 7 of the Complaint are admitted.

8.

The allegations of Paragraph 8 of the Complaint are admitted.

9.

The allegations of Paragraph 9 of the Complaint are admitted.

10.

The allegations of Paragraph 10 of the Complaint are admitted.

11.

The allegations of Paragraph 11 of the Complaint are admitted.

12.

The allegations of Paragraph 12 of the Complaint are denied for lack of information sufficient to justify a belief therein.

13.

The allegations of Paragraph 13 of the Complaint are denied for lack of information

sufficient to justify a belief therein.

14.

The allegations of Paragraph 14 of the Complaint are admitted.

15.

The allegations of Paragraph 15 of the Complaint are denied as written. Defendant denies any allegation to the effect that she was involved in intentionally bringing about the death of the Insured, and denies that the provisions of La. R.S. 22:901(D) are applicable in this case.

16.

The allegations of Paragraph 16 of the Complaint are denied as written. Defendant denies any allegation to the effect that she was involved in intentionally bringing about the death of the Insured, and denies that there is any basis for concluding that she has forfeited the right to receive benefits under the Policy.

17.

The allegations of Paragraph 17 of the Complaint are denied.

18.

The allegations of Paragraph 18 of the Complaint are denied for lack of information sufficient to justify a belief therein.

19.

The allegations of Paragraph 19 of the Complaint are denied for lack of information sufficient to justify a belief therein.

20.

The allegations of Paragraph 20 of the Complaint are denied for lack of information sufficient to justify a belief therein.

21.

The allegations of Paragraph 21 of the Complaint are denied for lack of information sufficient to justify a belief therein.

AND NOW, asserting affirmative claims to the interpleader res, i.e., the proceeds of Standard Policy no. 641797-A (“the Policy”) deposited into the registry of the Court, plus accrued interest, defendant shows that:

22.

She is the properly designated beneficiary under the Policy and is entitled to be paid the proceeds of the Policy, \$277,000.00, plus accrued interest, forthwith.

Wherefore, the premises considered, defendant Lori Pilkinton prays that, after due proceedings, there be judgment recognizing her right to be paid the full amount of the Policy proceeds deposited into the registry of the Court, \$277,000.00, plus accrued interest, and directing that such payment be made accordingly.

Defendant further prays for all general and equitable relief affordable under the premises.

Respectfully submitted,

WIENER, WEISS & MADISON  
A Professional Corporation

By: /s/ M. Allyn Stroud  
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Attorneys for defendant, Lori Pilkinton

Certificate of Service

I HEREBY CERTIFY that a copy of the above and foregoing pleading has been served on all counsel of record via notice of electronic filing.

This 5<sup>th</sup> day of April, 2010.

/s/ M. Allyn Stroud  
Of counsel